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Attorneys for Defendants KENNETH VITORELO,
JACK AIELLO and CITY OF SAN CARLOS

IN THE UNITED STATES DISTRICT COURT
IN AND FOR THE NORTHERN DISTRICT OF CALIFORNIA

JEFFREY A. HOWELL and SHELLEY H.K.
HOWELL,

Plaintiffs,

vs.

KENNETH VITORELO, individually and in his
capacity as a San Carlos Building Inspector;
JACK AIELLO, individually and in his capacity
as the San Carlos Building Official; CITY OF
SAN CARLOS,

Defendants.

Case No. C 07-06086 MMC

**ORDER APPROVING
STIPULATION TO CONTINUE
HEARINGS ON PLAINTIFFS' AND
DEFENDANTS' RESPECTIVE MOTIONS
FOR SUMMARY JUDGMENT AND/OR
SUMMARY ADJUDICATION**

Pursuant to ND CA Rule 7-7(b), IT IS HEREBY STIPULATED by and between the parties hereto, through their respective attorneys of record, that the hearings on the Motions for Summary Judgment or, Alternatively, Summary Adjudication, filed by Defendants CITY OF SAN CARLOS, KENNETH VITORELO, and JACK AIELLO (collectively, "Defendants") and Plaintiffs JEFFREY HOWELL and SHELLEY H.K. HOWELL (which are both currently scheduled to be heard on December 19, 2008 at 9:00 a.m. before the Honorable Maxine M. Chesney), be continued to January 9, 2008 at 9:00 a.m. The parties have not previously stipulated to continue the hearing

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1 date and make this request based on the tentative settlement reached at the December 10, 2008
2 Settlement Conference held before Magistrate Joseph C. Spero. The motions have been fully
3 briefed.

4 Date: December 12, 2008

HOWARD ROME MARTIN & RIDLEY LLP

6 By: /s/ Todd H. Master
7 Todd H. Master
8 Attorneys for Defendants

9 Date: December 12, 2008

10 By: /s/ Gerald V. Barron
11 Gerald V. Barron, Esq.
12 Attorney for Plaintiffs

13 **ORDER**

14 Pursuant to the above stipulation, it is hereby ordered that the hearing on the Motions for
15 Summary Judgment and/or Summary Adjudication filed by Defendants and Plaintiffs are continued
16 to January 9, ~~2008~~ ²⁰⁰⁹ at 9:00 a.m. in Courtroom 7.

17 Date: December 15, 2008

18 By: 
19 Hon. Maxine M. Chesney